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U. S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
RECEIVED

JAN 19 2010

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SHREVEPORT

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

**David L. Hicks**

***Plaintiff***

**Versus**

***Defendants,***

**Johna Page**

**Shreveport Police Officers**

**Off. Roy R. Hall badge no. 1170,**

**Cpl M. A. Bianco badge no. 56 ,**

**K-9 Off. C.W. Yarborough bdg #95**

**Shreveport Police Department ,**

**The City of Shreveport,**

**Louisiana State University**

**Health Sciences Center ,**

**Dr. Edward J. LoCascio**

**State of Louisiana**

**Caddo Parish Government ,**

**Caddo Parish Sheriffs department,**

**Caddo Correctional Center**

**Civil Action No.**

**-Plaintiff-Defendants and heading page 1-**

ORIGINAL

**Paragraph 1.**

This action may be and can be brought pursuant to  
42 U.S.C. Section 1983, 1988 ,  
and the 2<sup>nd</sup> 4<sup>th</sup> 8<sup>th</sup>, and 14<sup>th</sup>, Amendments to The  
United States Constitution . Jurisdiction is based upon  
28 U.S.C. Section 1331 and 1343 and the aforementioned  
Statutory and constitutional provisions. And the claims and  
damages are over \$10,000.00, Also the jurisdiction is  
invoked

That the plaintiff , David L. Hicks maintains in this jurisdiction  
And the defendants are also within this courts jurisdiction.  
Plaintiff, further invokes the supplemental jurisdiction of this  
court to

Hear and decide the claims that may arise or be claimed to arise  
Under The Louisiana State and federal Laws.

**Paragraph 2.**

Plaintiff David L. Hicks is a Citizen of the United States, a United States Armed Forces Disabled Veteran, and a resident Of the State of Louisiana and a resident of Caddo Parish, Louisiana Plaintiff was and is the injured party in this action .

**Paragraph 3.**

Defendants, are, believed to be , were working in concert whether knowingly or unknowingly, and are severely and liabley responsible and claimed for damages caused to the plaintiff,

Johna Page ,  
Shreveport Police Officers ,  
off. Roy R. Hall badge no. 1170 ,  
Cpl M. A. Bianco badge no. 56 ,  
K-9 Off. C.W. Yarborough badge no. 95  
Shreveport Police Department ,  
The City of Shreveport,  
Louisiana State University  
Health Sciences Center ,  
Dr. Edward J. LoCascio ,  
State of Louisiana ,  
Caddo Parish Government ,  
Caddo Parish Sheriffs department, and  
Caddo Correctional Center .

**Paragraph 4.**

All defendants were working or acting as employees of The City,  
state or parish Government except for Johna Page .

The date and dates of this complaint began on 1-20-2009, and all  
individuals and

Commissions and incorporations and entities whether a member  
of

Caddo Parish or the state, are sued individually , severally and  
Liable.

It is maintained, they, acted, In concert, whether intentionally or  
unintentionally to deprive the plaintiff of certain rights and  
privileges and cause physical and mental damages to the plaintiff

That are protected by the United States Constitution

And in good conscience of the law.

-Paragraph 5-

**Statement of claim**

The cause of this action began on January 20<sup>th</sup>, 2009 by the Defendant , Johna Page , residing at 9249 Highcrest drive Shreveport, La. Driving a Tan Mercury Mountaineer SUV, Lic. Plate no. RJP919. Johna Page was illegally parked in line of Cars illegally parked, on Fairfield Ave while alleged to picking up her child at Fairfield Elementary School , and illegally blocking the intersection of the 400 block of E.65<sup>th</sup> street. Shreveport La. Her illegal and negligent actions has caused the plaintiff the Following damages .

a. Emotional Duress

b. Physical duress

Caused by ,

1. Illegally Blocking an intersection
2. Hindering traffic including the plaintiff
3. Failure to yield and give right of way
4. Negligence
5. Making false statements to Police
6. Causing the death of a 8 wk old Lab Puppy
7. Post traumatic stress
8. Endangering Plaintiff and his animals on trailer

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The following claims against the following officers are

- a. Use of excessive force and committing the cowardly Act of beating down a disabled veteran
- b. Torture and use and Misuse of Handcuffs
- c. Lying about the nature of their business
- d. aggravated assault upon a disabled veteran
- e. aggravated battery upon a disabled veteran
- d. withholding evidence
- f. falsifying evidence, making a false charge of resisting
- g. Making false charges of wrongful backing of trailer

Off. Roy R. Hall badge no. 1170,  
Cpl M. A. Bianco badge no. 56 ,  
K-9 Off. C.W. Yarborough bdg #95

Which caused the following damage

- 1. Emotional distress and duress
- 2. Physical duress and distress
- 3. Broken and scratched prescription eye glasses
- 4. Broken rib
- 5. Broken and permanent damage to teeth and crowns
- 6. Failure to give equal protection of the law
- 7. Destroying plaintiffs belief and trust in law Enforcement officers.
- 8. Neck Injuries and neck Pain
- 9. Post traumatic stress

The claims against the city of Shreveport and Shreveport Police Department are as well liable for the actions and damages caused by their employees .

The Claims against the following ,

- a. Louisiana State University Health Sciences Center ,
- b. Dr. Edward J. LoCascio
- c. State of Louisiana

- Are:
- 1. Malpractice
  - 2. Failure to treat a patient they are under contract To Treat.
  - 3. Prevaricating about the medical tests they performed
  - 4. Maintaining a filthy and below standard prisoner Holding cell. And failing to treat for shock.
  - 5. Failure to run proper medical tests such as ct scans , MRI or even simple x-rays after the plaintiff Complained of swelling of the brain and severe chest Pain and difficulty breathing.
  - 6. Negligence
  - 7. Failure to document injuries the plaintiff came in with

The Claims against the following are;

- a. State of Louisiana
  - b. Caddo Parish Government ,
  - c. Caddo Parish Sheriffs department,
  - d. Caddo Correctional Center
- 
1. Deprivation of proper medical treatment
  2. Deprivation of prescribed medications  
By the plaintiffs Doctors including pain  
Medication for existing medical conditions
  3. Malpractice
  4. Maintaining the plaintiff in an overcrowded  
Prison cell designed for 2 people and yet occupied  
By 3 people for 14 days.
  5. Unfair treatment of plaintiff as a pretrial prisoner  
Depriving him of certain rights that should not  
Be severed by a pre-trial prisoner.
  6. Depriving plaintiff of his right to a fair hearing even  
A so-called bond or bond reduction hearing .
  7. Running a Prison for Profit instead of rehabilitation
  8. False advertising
  9. Deprivation of the use of the Law Library
  10. Deprivation of even proper writing pens
  11. Negligence
  12. Deprivation and severe limitation to access to phones
  13. Prisoner harassment continued on -page 9-
  14. Post traumatic stress



The Plaintiff lay in severe pain, incarcerated at the Caddo Correctional Center for 14 Agonizing days deprived of access to an attorney, deprived of proper medical care, proper medication, and pain medication for the new caused injuries and although he brought in his own medication, doctor prescribed medication, was deprived of it. The plaintiff was in a no.10 pain with a broken rib, broken teeth, and a hand cuff injury that cut off the blood flow so long it caused permanent damage to the wrists and lower Arms .

15. The plaintiff remained under high bond because the district attorney lied about notifying the plaintiff about his next court appearance which the plaintiff had no chance to explain to the judge, thus resulting in a high bond and unfair bond on charges that were already dismissed by La. 2<sup>nd</sup> Circuit Ct of Appeal .

16. The plaintiff's family and all his rescue animals many who require daily medication, had to suffer for 14 days while he was incarcerated all because of the plaintiff's opinion , One arrogant lady, the defendant, Johna Page, could not obey the law and display a little road courtesy.

In fact a little abandoned yellow Labrador retriever puppy died because the plaintiff could not be home to protect it . Continued on page 11

It got in the yard of a neighbors aggressive dogs and they injured it so bad that animal control had to kill it, end its life. The plaintiff holds her directly responsible for that young dogs life .

17. As a result of the Unlawful actions of the defendants ,

The plaintiff and his family and his animals

has suffered physically, financially , and emotionally .

Plaintiff has had to seek medical treatment from his injuries

caused by the plaintiffs which he continues to suffer from .

18. The Plaintiff maintains certain defendants of this action are

Liabe for The intentional , unnecessary and unlawful use of excessive force Which was unwarranted and resulted in infliction of serious injuries and loss of trust in law enforcement.

19. The actions of all the defendants acting in concert, has caused' The plaintiff, financial loss and has caused loss of his Civic consciousness and his unlawful arrest without probable Cause all under the color of law , thus depriving plaintiff of his Rights, privileges, and immunities secured by The United States Constitution and law in violation of 42 USC 1983 and the fourth , fifth, eighth, and fourteenth amendments to the United States Constitution. And also his charges without proper foundation.

20. The Plaintiff believes the defendants acting in concert and or Individually , acted with deliberate indifference and/or out Of ignorance of plaintiff's rights, acted maliciously, wantonly, Oppressively, and or in '**Bad Faith**' so as to deny plaintiff's Rights protected under both Louisiana State Law and Federal Constitutions. Plaintiff feels he should be entitled to sizable Compensation, And judgment, since this state does not have Punitive Damages .

Therefore the plaintiff is asking for the following Judgments from the following defendants ;

1. Johna Page ..... **\$180,000.000**  
(One hundred and eighty thousand US dollars)
2. City Of Shreveport, Shreveport City Police Department ,  
Probationary Officer Roy R. Hall, cpl. M. A. Bianco,  
Officer C.W. Yarborough, ..... **\$2,500.000.00**  
( two million , five hundred thousand dollars )
3. Louisiana State University Health Sciences Center ,  
Dr. Edward J. LoCascio , State of Louisiana,  
.....**\$350,000.00**  
( three hundred and fifty thousand us dollars )
4. State of Louisiana, Caddo Parish Government ,  
Caddo Parish Sheriffs department,  
Caddo Correctional Center ,  
.....**\$450,000.00**  
(four hundred and fifty hundred us dollars )

**I. Wherefore the Plaintiff , David L. Hicks, Pray that :**

After all due proceedings that there be judgment herein in favor of Plaintiff and petitioner and against the above and foregoing defendants Named in this complaint in so lido for such damages as are Reasonable in the premises, together with legal interest from the date of Judicial demand , until paid , together with all costs of these Proceedings .

II. That the fees of the expert witnesses of any description, included, but not limited to liability, economic and medical experts, be Taxed also as costs in these proceedings.

III . For all other orders and writs necessary for the general and Equitable relief in the premises.

## **Prayer for Relief**

Wherefore , Plaintiff,

David L. Hicks PRAY for

The following relief against the defendants jointly , severally  
and

In so lido , the following amounts ,

1. Johna Page ..... **\$180,000.00**  
(One hundred and eighty thousand US dollars)
2. City Of Shreveport, Shreveport City Police Department ,  
Probationary Officer Roy R. Hall, cpl. M. A. Bianco,  
Officer C.W. Yarborough, ..... **\$2,500,000.00**  
( two million , five hundred thousand dollars )
3. Louisiana State University Health Sciences Center ,  
Dr. Edward J. LoCascio , State of Louisiana,  
.....**\$350,000.00**  
( three hundred and fifty thousand us dollars )
4. State of Louisiana, Caddo Parish Government ,  
Caddo Parish Sheriffs department,  
Caddo Correctional Center ,  
.....**\$450,000.00**  
(four hundred and fifty hundred us dollars )

Because the State of Louisiana does not Have punitive damages,

The damages can be called substantial

1. That the defendants Pay for all Legal costs that have already incurred in the lower courts or may incur including the costs of appeals including cost of transcripts attorneys fees, legal costs, bond moneys including interest on loans Obtained to secure bond money on principle and interest incurred, interest that occurred on money , the plaintiff Had or has to incur .

2. Compensation for all medical expenses

3. Compensation for pain and suffering

4. Compensation for the plaintiff having to hire a lawyer

To represent him on the criminal defense and all his legal

Expenses to litigate this case .



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5. Compensation and legal fees for having have to bring this Federal complaint including service and filing.
6. Compensatory damages for physical and mental injuries received By plaintiff for pain , suffering , mental anguish, duress, loss of time, And quality of life caused by the defendants and their actions.
7. A Jury trial if the defendants do not request it .
8. Any other relief as appears reasonable and just by this court

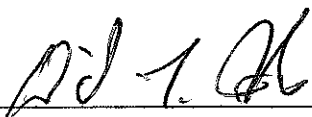
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**Declaration Under Penalty of Perjury**


In the State Of Louisiana, In the Parish of Caddo,  
Of The United States of America , I David L. Hicks,  
The plaintiff,

Herewith declare under the penalties of perjury that the declaring  
is  
Competent under law to give this declaration and unless otherwise  
stated has personal knowledge of the facts stated herein,

Respectfully Submitted,

January 19th 2010

  
\_\_\_\_\_  
David L. Hicks  
Address 445 e. 65<sup>th</sup> Street  
Shreveport La. 71106

  
\_\_\_\_\_  
By David L. Hicks pro se

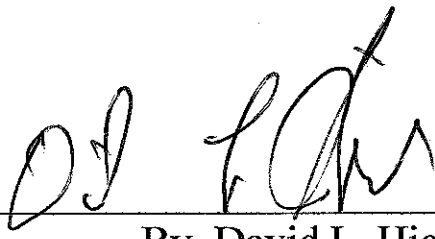
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**Certificate**

**I hereby certify that the above and foregoing complaint**

**Will be attempted to be served to the above and foregoing**

**Defendants Within the time frame allowed by law**

  
\_\_\_\_\_  
By David L. Hicks pro se

January 19<sup>th</sup>, 2010

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**This Page reserved for Amendments**

This page also reserved for Amendments